

**IN THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Cancelled)

2. (Currently Amended) ~~The optical disk according to claim 1, An optical disk having a plurality of pits indicative of information, comprising:~~  
~~a shortest pit of the plurality of pits having a conical shape and having a depth smaller than a depth of a pit other than the shortest pit,~~

wherein an asymmetry of a reproduction signal is smaller than +0.10 and a ratio of a reproduction signal amplitude of the shortest pit relative to a signal amplitude of the longest pit is smaller than 15%.

3. (Withdrawn) An optical disk comprising a reflecting film formed on a molded substrate having pits indicative of information, the information being read from the reflecting film side by using a laser beam,

a cross-sectional shape of the shortest pit is trapezoidal in the molded substrate, and it is triangular on a surface of the reflecting film.

4. (Withdrawn) The optical disk according to claim 3, wherein a bottom width x of the shortest pit cross section in the molded substrate is as follows:

$$x = 2 \cdot d \cdot \sin \theta \text{ (within } \pm 20\%)$$

wherein  $\theta$  is a tilt angle of a wall surface of the shortest pit in the molded substrate, and d is a film thickness of the reflecting film.

5. (Withdrawn) The optical disk according to claim 3, wherein a pit cross section of a pit other than the shortest pit has a trapezoidal shape in both the molded substrate and the reflecting film surface.

6. (Withdrawn) The optical disk according to claim 4, wherein a pit cross section of a pit other than the shortest pit has a trapezoidal shape in both the molded substrate and the reflecting film surface.

7. (Withdrawn) A method of manufacturing an optical disk by forming a reflecting film on a molded substrate having pits indicative of information formed thereto,

the shortest pit cross-sectional shape before forming the reflecting film is trapezoidal and the shortest pit cross-sectional shape after forming the reflecting film is triangular.

8. (Withdrawn) An optical disk apparatus which reproduces an optical disk including information pits, the shortest pit thereof is formed into a conical shape,

the optical disk apparatus is constituted so as to perform information reproduction by a PRML (Partial Response and Maximum Likelihood) method and reproduce the optical disk that an asymmetry of an information reproduction signal is +0.10 or lower.